

Daniel L. Wainwright , # 193486  
McCormick, Barstow, Sheppard  
Wayte & Carruth LLP  
P.O. Box 28912  
5 River Park Place East  
Fresno, CA 93720-1501  
Telephone: (559) 433-1300  
Facsimile: (559) 433-2300

(SPACE BELOW FOR FILING STAMP ONLY)

Attorneys for Defendant  
JOHN J. HOLLENBACK, JR.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT

MELVIN JONES, JR., et al. ,

Plaintiffs,

v.

MICHAEL TOZZI, MARIE SOVEY-  
SILVEIRA, LESLIE JENSEN, and JOHN  
J. HOLLENBACK, JR., ,

Defendants.

Case No. F-05-0148 AWI DLB

**NOTICE OF SUBSTITUTION OF AND  
WITHDRAWAL OF ATTORNEY; ORDER  
OF THE COURT**

**[Local Rule 83-182(g)]**

**PLEASE TAKE NOTICE** that defendant, JOHN J. HOLLENBACK, JR., hereby makes  
the following substitution of legal representative in the above-captioned matter:

1. Defendant's former legal representative was Leslie F. Jensen (California State Bar  
No. 94615), 131 G Street, Second Floor, Modesto, California 95354; telephone number 209-524-  
3688.

2. Defendant's **new** legal representative is Daniel L. Wainwright (California State  
Bar No. 193486), of the law firm of McCormick, Barstow, Sheppard, Wayte & Carruth, LLP, 5  
River Park Place East, Fresno, California 93720; telephone number 559-433-1300.

3. Defendant acknowledges that on December 12, 2005 the law firm of McCormick,  
Barstow, Sheppard, Wayte & Carruth, LLP, associated in as co-counsel. This law firm will  
continue to represent defendant as the lone attorneys of record.

4. Defendant acknowledges and asks the Court and plaintiff to recognize that attorney Leslie Jensen will be withdrawing as one of defendant's attorney of record.

I hereby consent to this substitution of legal representative.

Date: December 29, 2005

/s/ John J. Hollenback, Jr.  
JOHN J. HOLLENBACK, JR. - Defendant

I hereby consent to the substitution of McCormick, Barstow, Sheppard, Wayte & Carruth, LLP, as attorney of record for defendant, JOHN J. HOLLENBACK, and hereby consent to withdraw as one of defendant's attorneys of record.

Date: December 30, 2005

LAW OFFICE OF LESLIE F. JENSEN

By: /s/ Leslie F. Jensen  
Leslie F. Jensen - Former Attorney

I hereby consent to this substitution of McCormick, Barstow, Sheppard, Wayte & Carruth, LLP, serving as attorney of record for defendant, JOHN J. HOLLENBACK, JR.

Dated: December 29, 2005

McCORMICK, BARSTOW, SHEPPARD  
WAYTE & CARRUTH LLP

By: /s/ Daniel L. Wainwright  
Daniel L. Wainwright  
Attorneys for Defendant  
JOHN J. HOLLENBACK, JR.

**ORDER APPROVING SUBSTITUTION OF ATTORNEYS**

Pursuant to the fully executed "Substitution of Attorneys" set forth above, **IT IS HEREBY ORDERED** that Daniel L. Wainwright of the law firm of McCormick, Barstow, Sheppard, Wayte & Carruth, LLP, will be the attorney of record for defendant, JOHN J. HOLLENBACK, JR., and that Leslie F. Jensen may withdraw as one of defendant's attorneys of record.

Date: December 20, 2005

/s/ OLIVER W. WANGER  
OLIVER W. WANGER,  
JUDGE OF THE U.S. DISTRICT COURT

00002/00223-897191.v1

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE BY MAIL**

I am a citizen of the United States and employed in Fresno County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is McCormick, Barstow, Sheppard, Wayte & Carruth LLP, 5 River Park Place East, Fresno, California 93720-1501. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On January 19, 2006, I placed with this firm at the above address for deposit with the United States Postal Service a true and correct copy of the within document(s):

**SUBSTITUTION OF ATTORNEYS**

in a sealed envelope, postage fully paid, addressed as follows:

Melvin Jones, Jr.  
P.O. Box 579392  
Modesto, CA 95357

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 19, 2006, at Fresno, California.

Karen B. Williams